

# **UK Government will agree to pilot deposit return scheme – but no glass**

**The UK Government has “demanded” an exemption for glass in any Scottish deposit return scheme in a letter sent to the Scottish Government late on Friday night.**

The letter signed by three Government ministers, Thérèse Coffey, Michael Gove and Scottish Secretary, Alister Jack, stated: “Our view is that this type of permanent divergence would be a very significant step for businesses and consumers, and there is insufficient justification for such an approach.”

The Scottish Government had pressed ahead with its plans to introduce a Deposit Return Scheme (DRS) although implementation has been delayed until March 2024.

As a result of the internal market regulations Scotland needed an exemption from the rules to proceed with its plans. That permission has now been granted but subject to the scheme omitting glass.

This appears to pave the way for something more in line with a UK-wide scheme, but the Welsh scheme does include glass as [announced in January](#) by DEFRA. The image below is from the government’s response to the consultation on introducing a scheme in England Wales and Northern Ireland in 2025. Click on the image to find out more.

# Materials in scope of the DRS

## Key announcements

- Size of containers in scope of DRS: All-in (50ml – 3l) across England, Wales and Northern Ireland.
- Materials in scope of DRS – England and Northern Ireland: Polyethylene terephthalate (PET) bottles; steel and aluminium cans.
- Materials in scope of DRS – Wales: Polyethylene terephthalate (PET) bottles; steel and aluminium cans; and glass bottles.

Since waste management is a devolved policy area, it is the responsibility of each nation of the UK to decide the scope of its own DRS in a way that fits its policy needs.

The government's response to the consultation on the introduction of Extended Producer Responsibility for packaging was published on 26 March 2022<sup>8</sup>. Details regarding the size and materials of containers in scope of the DRS were announced as part of this response. We have also set out these conclusions in this chapter for completeness.

The Friday night response has not been welcomed by The Scottish Government who regard it as an attack on devolution. Humza Yousaf tweeted this morning: “Extraordinary framing here. UK Government haven't agreed to DRS scheme, they've refused the Scottish scheme, a vital component of which is inclusion of glass, as per regulations passed by Scottish Parliament. It's their way or the highway, that's not respecting devolution.”

Circular Economy Minister Lorna Slater said: “Once again the UK Government has shown utter disregard for devolution. Scottish ministers received the UK Government's decision letter at 10pm on a Friday night, more than 12 hours after its contents being briefed to press. This is treating the Scottish Parliament with contempt.

“Despite discussions over the last two years this is an eleventh hour attempt by the UK Government to sabotage Scotland's Deposit Return Scheme by forcing us to remove glass bottles. This is at odds with all the evidence that says the biggest benefits, economically, financially and environmentally, are from including glass. We are now going to have to look very seriously at where this leaves the

viability of the Scottish scheme and talk to businesses, delivery partners and other organisations over the coming days and weeks.

“Removing glass also means taking out around six hundred million bottles that would have been collected by the scheme, despite businesses in Scotland having invested millions of pounds in preparation to include them. Many of these bottles will unnecessarily end up as broken glass on our streets, our parks and our beaches.”

The Scottish Greens have also taken to Twitter this weekend with Ms Slater explaining why it is necessary to retain glass in the scheme:

*“The Tories are resorting to environmental blackmail, and putting their own narrow political agenda ahead of our environment and Scotland's democracy.”*

*“Tell Rishi Sunak that we must keep glass in our DRS: <https://t.co/3lZqw7Ko1H> [pic.twitter.com/AdYLSfC0ug](https://pic.twitter.com/AdYLSfC0ug)”*

*– Scottish Greens (@scottishgreens) [May 27, 2023](#)*

The scheme involves payment of a 20p deposit on the purchase of a drinks container and the scheme has set out how that will be returned to the consumer, involving for example, automated reverse vending machines.

## **OPPOSITION TO THE SCHEME**

There has been considerable opposition to the scheme by business organisations such as the Scottish Chambers of Commerce and CBI Scotland who wrote to the First Minister in April saying that unless it was clarified or changed the scheme was doomed to failure and was “not fit for purpose”. The open letter was also signed by the Scotch Whisky

Association.

In April when the latest delay to the introduction of the scheme was announced by The Scottish Government, the CEO of the Scotch Whisky Association Mark Kent said: ““Our industry has always supported the goals of the Deposit Return Scheme, but the Scottish DRS as currently devised would hamper the efforts of businesses across the country to reduce waste and bring about a more circular economy. The delay until March 2024 and full review in the coming months will enable us to work with government to ensure DRS is aligned with other systems across the UK and to once again look at the exclusion of glass, which the experience of international schemes tells us will help to simplify the scheme, and reduce the cost for businesses and consumers.”

## **DEVOLUTION**

This week in The Scottish Parliament the matter of devolution and the control exerted by Westminster is already scheduled to be debated. Keith Brown the Depute Leader of the SNP is to lead a debate entitled [Protecting Devolution and The Scottish Parliament](#). This motion was lodged on 16 May, quite some time before the latest decision by the UK Government which The Scottish Government say is another attempt to stifle devolution.

Preparing for next week, SNP MSP Keith Brown said the unelected Tory government at Westminster – which has just six MPs in Scotland – was taking control of devolved powers such as environmental protection, food standards and a range of other areas without the consent of the Scottish Parliament or the people of Scotland.

Commenting the SNP's Keith Brown said: “It could not be a more critical time for Scottish democracy as we see explicit and repeated attacks on devolution from Westminster which Labour and the Tories are happy to help facilitate.

“The necessity of this debate should be unthinkable. But we have an out of control Tory Scottish Secretary acting like a Governor-General grabbing powers and placing himself above the democratic wishes of the people of Scotland. I will do everything I can to defend Scottish democracy from blatant Westminster attacks.

“From the unprecedented decision to invoke a Section 35 order in order to veto devolved legislation, to ongoing breaches of the Sewel Convention – the Tories are attempting to destroy devolution by any means necessary, and it is beyond shameful that Keir Starmer’s Labour party has been silently complicit on the matter.

“If Tory and Labour MSPs fail to speak up to defend devolution in my debate in Holyrood next Tuesday then they are confirming they are happy to see the Scottish Parliament undermined and for Westminster to tighten its control over Scotland. They have 4 days to decide if they will step up to protect devolution.

“The SNP will continue to stand up for Scottish democracy but ultimately it’s clear the only way to properly protect Scotland’s democracy is to become an independent country and escape Westminster control for good.”

The motion reads: